

REMARKS

Claims 1, 3-8 and 10-18 are pending in the present application.

I. FORMAL MATTERS

A. Priority Documents

The Office Action does not acknowledge the claim to priority and does not indicate whether the certified copies of the priority documents have been received from the international bureau. Applicant respectfully requests the Examiner to do so.

B. Formal Drawings

The Office Action does not indicate whether the drawings filed on March 9, 2001 are acceptable. Applicant respectfully requests the Examiner to do so.

C. Information Disclosure Statements

Applicant notes with appreciation that the Office Action includes a copy of the PTO Form 1449's that were submitted with the Information Disclosure Statements filed on March 9, 2001, November 13, 2002, May 6, 2003 and April 6, 2005. The references listed therein are initialed by the Examiner, thereby indicating that these references were considered and should be listed on the face of any patent that issues from the present application.

II. PRIOR ART REJECTION

Claims 1-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,819,290 (Fujita) in view of U.S. Patent No. 6,763,037 (Yanagihara). This rejection is traversed.

The Examiner did not examine claims 14-18, which were presented as "Substitute Pages of Translation of Annexes when the present application was filed on March 9, 2001. Applicant respectfully requests the Examiner to examiner claims 14-18.

The Examiner also asserts, *inter alia*, that Fig. 10 of Yanagihara teaches the claimed dummy data writing means. Applicant respectfully submits that Fig. 10 of Yanagihara, the portions of the specification that describe Fig. 10 (column 10, lines 8-50), and other portions of Yanagihara do not teach or suggest the claimed dummy data writing means of independent claims 1, 3, 8, 12, 13 and 14. Fujita does not make up for this deficiency of Yanagihara. Therefore, the combination of Fujita and Yanagihara does not form the claimed invention. Thus, the rejection of claims 1-13 under 35 U.S.C. § 103(a) is overcome.

Further, according to at least one embodiment of the present invention, in recording one multimedia information file, the writing means for specifying a


plurality of the specific areas of the data area being in an empty state capable of date writing for writing the data body and the control information that constitute the file respectively, and writing the data body and the control information in the specified empty areas in an arbitrary sequence in parallel and the claimed dummy data writing means are used in combination. Therefore, the multimedia information file can be recorded in a recording medium at high speed, which is a noticeable effect not achieved by the cited references.

Based on the foregoing, Applicant submits that the present application is in condition for allowance and allowance is respectfully solicited. If the Examiner believes that any of the outstanding issues could be resolved by a telephone conference, Applicant respectfully requests the Examiner to contact the undersigned at the telephone number listed below.

Applicant believes that no additional fees are due for the subject application. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. 04-1105.

Respectfully Submitted,

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Customer No.: 21874


John J. Penny, Jr. (Reg. No.: 36,984)
EDWARDS ANGELL PALMER &
DODGE LLP
P.O. Box 55874
Boston, Ma 02205
Tel: (617) 517-5549
Fax: (617) 439-4170